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C O N F I D E N T I A L RABAT 000282

SIPDIS

STATE FOR PM - DAS MCDONALD, NEA/MAG, NEA/RA AND EUR/RPM

E.O. 12958: DECL: 04/03/2019

TAGS: MARR PREL PINS MCAP MO

SUBJECT: MOROCCO SAYS IT IS IN FINAL REVIEW OF SOFA AND  
ACSA AGREEMENTS

REF: A. 08 RABAT 0390

1B. 08 STATE 020339

Classified By: CDA Robert P. Jackson for reasons 1.4 (b) and (d).

11. (C) Summary: Senior Moroccan government and military officials assured visiting Deputy Under Secretary of the Air Force for International Affairs Bruce Lemkin and Charge that the Government of Morocco (GOM) was in the final stages of review for both the Status of Forces Agreement (SOFA) and the Acquisition and Cross Servicing Agreement (ACSA) with the U.S. We have heard previous pledges in the past that have not come to fruition on the ACSA, but we are cautiously optimistic the GOM may be prepared to follow through this time as advertised. Completion of the SOFA and ACSA agreements, apart from the obvious symbolic value of underscoring the closeness of U.S.-Moroccan relations, would facilitate the ability of U.S. military to train on Moroccan soil, i.e., by codifying legal protections for U.S. airmen, soldiers, sailors, and marines, as well as the purchase Moroccan supplies in support of training exercises, respectively. End Summary.

12. (C) On April 2, 2009, Moroccan Inspector General of the Moroccan Royal Armed Forces and Commander of the Southern Zone Lieutenant General Bennani, i.e., the rough equivalent of the Chairman of the Joint Chiefs of Staff, told visiting Deputy Under Secretary of the Air Force Bruce Lemkin, Charge, and Defense Attaché that the Moroccan Royal Armed Forces (FAR) were making final preparations to sign the SOFA and ACSA agreements with the United States. Bennani said that the SOFA could be signed in a matter of weeks and that finalizing the ACSA only required finding amendments to accommodate prohibitions in the Moroccan Constitution against the Moroccan military receiving money directly from a foreign entity. Bennani said that the Moroccan military was actively developing a "working procedure" to accommodate this law and that it would not take long to work out.

13. (C) In a follow-on meeting later that day, Minister Delegate to the Prime Minister in Charge of the Administration of National Defense Abderrahmane Sbai, i.e., the rough equivalent to the U.S. Secretary of Defense, confirmed General Bennani's statements that reviews of the SOFA and ACSA were in the final stages. Sbai said, the ACSA was a "matter of translation," while the SOFA required more inter-ministerial coordination to ensure its legality. Sbai said that the GOM had recently convened a meeting with high level officials from the Ministries of Defense, Foreign Affairs, Interior, Justice, and Finance to discuss both documents. Poloff's follow-up phone call on April 3, with

our principle MFA contact on military affairs senior Secretary General staff member Karim Halim said that MFA and Ministry of Defense were ironing out the final language of both documents and that they might be ready for formal signing at approximately the same time.

¶4. (C) Bennani's assertions were made in the context of an otherwise larger discussion with Deputy Under Secretary Lemkin about the excellent status of relations between Morocco and the United States, extending into the military realm. Bennani cited the long history of good relations between the U.S. and Morocco; the increasing sophistication of Operation African Lion (the annual joint U.S.-Moroccan military training exercise); and the purchases of F-16, T-6, and Gulfstream airframes and potential purchase of M1A1 Abrams tanks as indicators of robustness of the relationship.

¶5. (C) In a direct appeal, Bennani said that the Moroccan Military was counting on Deputy Under Secretary Lemkin and the Embassy to ensure that all necessary steps, i.e., administrative processing through the Pentagon, Congress and the North Atlantic Treaty Organization, were taken to facilitate Morocco's acquisition of the weapon systems according to previously agreed upon scheduling.

¶6. (C) Comment: The chorus of Moroccan leaders announcing the impending final review of the ACSA and SOFA agreements makes us cautiously optimistic. However, we are also reminded of previous misplaced pledges made by General Bennani that the ACSA would be signed last June (reftel). Still, Sbai's affirmations, added to General Bennani's, increases our optimism for follow-through. In addition to an obvious symbolic value underscoring the closeness of

U.S.-Moroccan relationship, inking of the SOFA would facilitate training exercises, codifying the U.S. military's legal status while training in Morocco and replacing previous diplomatic notes. The ACSA, in addition to saving the GOM money, would help facilitate the process of U.S. purchases of Moroccan supplies to support training exercises. A high profile signing ceremony might attract some critiques of U.S. foreign policy in the region, resulting in some negative press, as was the case of SOFA agreements reached in Egypt and Iraq over the last year. We believe that a public announcement of both agreements, while positive overall, would not be universally welcomed by segments of the Moroccan population. The Departments of State and Defense may want to factor these experiences into planning for a signing.

¶7. (U) Deputy Under Secretary Lemkin did not have an opportunity to clear this message. End Comment.

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Jackson